

jCategorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels and Fire Rehabilitation Actions

Renewing of Crown Atlantic Communication Use Lease-AZA-26528
NEPA# DOI-BLM-AZ-P020-2012-019-CX

A. Background

BLM Office: ***Lower Sonoran Field Office (LSFO)***

Lease/Serial/Case File No.: AZA-26528

Proposed Action Title/Type: Communication Site Renewal

Location of Proposed Action: Gila & SRM Sec. 25 T. 4 S., R. 9 W.

Description of Proposed Action: Crown Atlantic has applied to renew existing rights-of-way (AZAR-026528) for communication sites located on Oatman Mountain. The renewals would allow no additional rights to be conveyed beyond those granted by the original authorizations.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: **Lower Gila South**

Date Approved/Amended: **6/1/1988**

☐ The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

☐ The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

Lower Gila Resource area processes a variety of actions in the Lower Gila RMP/EIS area rights-of-way (ROW), communication sites, easements, permits, and unauthorized occupancy. All land cases would continue to be evaluated on a case-by-case basis.

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 Departmental Manual (DM) 11.9:

BLM NEPA Handbook H1790-1 (E-9). Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorization.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 11.9 apply.

I considered a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis.

D: Signature

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects (see Attachment 1). Therefore, it is categorically excluded from further environmental review.*

Prepared by: _____/S/_____

**Ben Parsons
Project Lead**

Reviewed by: _____/S/_____

**Leah Baker
Planning & Environmental Coordinator**

Approved by: _____/S/_____

**Emily Garber
Manager**

Contact Person

For additional information concerning this CX review, contact:
Leah Baker 623-580-5656 or Ben Parsons (623) 580-5637.

Note: A separate decision document must be prepared for the action covered by the CX.

BLM Categorical Exclusions: Extraordinary Circumstances¹

Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Explain why the project would not have significant impact on public health and safety by describing how the action is designed or planned to keep impacts o a minimum and not impact public health or safety.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Identify if any of the above concerns are present in the impact area. Demonstrate how impacts would or would not be significant. Specify Areas of Critical Environmental Concern, Wilderness Study Areas, Monuments, and other areas with special designation. BLM Shall determine whether a proposed action will occur in a floodplain or wetland area. If an action would significantly impact a floodplain or wetland area, this extraordinary circumstance would apply and alternatives must be considered. Note: CXs are not appropriate for actions within a Wilderness Study Area, per the Wilderness Interim Management Policy) or a Wilderness Area. Actions within ACECs. Would and Scenic Rivers, Monuments or other “special designations” may still be permitted as long as the objectives of the special designations are met.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Controversy over environmental effects pertains specifically to disagreement over the nature of the impacts among those with special expertise. Controversy does not reflect the level of public concern, support or opposition for an action. Explain whether the impacts of the action are well-known and demonstrated in other projects that have been implemented and monitored. Cite monitoring reports done for similar projects and the conclusions of the reports.

¹ If an action has any of these impacts, you must conduct NEPA analysis.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Categorically excluded actions generally have very predictable consequences well established as insignificant. If an impact of an action cannot be predicted due to varying circumstances and has potential to be significant, additional analysis would be necessary.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Explain whether the action is connected to another action that would require further environmental analysis or if it would set a precedent for future actions that would normally require analysis.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: See CFR 1508.7 for a discussion of cumulative actions and impacts.
7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Confirm that cultural surveys have been completed; the appropriate databases have been reviewed; and appropriate concurrence from SHPO and tribes have been received indicating that significant impacts are not expected.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Confirm that the appropriate level of Threatened and Endangered Species review, surveys, and coordination and any required consultation, conformance, or concurrence from the US Fish and wildlife Service has been received, indicating that impacts would not be significant. If applicable, confirm that coordination with the Arizona Department of Fish and Game has been completed.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Examples include Migratory Bird Treaty Act, Fish and Wildlife Coordination Act, county ordinances, and state statutes. Include or reference the results of coordination and consultation with the appropriate agencies and officials, indicating that the law would not be violated.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: State whether such populations are present and whether they would receive disproportionate high and adverse human health or environmental effects. State whether health or

		environmental statutes would be compromised. The EPA had developed guidance on addressing environmental justice issues.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Consultation with tribes regarding Indian sacred sites must take place.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Introduction as well as spread within the area must be considered.

Decision
Attachment 2

Project Description:

Crown Castle has applied to renew existing rights-of-way (AZAR-026528) for communication sites located on Oatman Mountain. The renewals would allow no additional rights to be conveyed beyond those granted by the original authorizations.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

Solicitor, U.S. Department of the Interior, 401 West Washington Street, Suite 404, Phoenix Arizona 85003, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

Approved By: _____/S/_____ **Date:** __03/16/2012_
Emily Garber
Manager